

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

BRYANT HARRIS,

Plaintiff,

v.

Case Number 20-11113

Honorable David M. Lawson

Magistrate Judge Curtis Ivy, Jr.

GEORG LIEBER, DAVID KENNAMER,
RYAN DOBBS, NICOLAS WALLEMAN,
VICTORIA DALLAS, ANDREW SNYDER,
RODOLFO LOPEZ, KARIANN NELSON,
BRIAN ROSS, ROBERT PICKELL,
CHRISTOPHER SWANSON, DANIEL
EDMONSON, and COUNTY OF GENESEE,

Defendants.

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**ORDER ADOPTING REPORT AND RECOMMENDATION,
GRANTING IN PART AND DENYING IN PART DEFENDANTS' MOTION
FOR JUDGMENT ON THE PLEADINGS, AND GRANTING DEFENDANTS'
MOTION FOR SUMMARY JUDGMENT AS TO THE REMAINING CLAIMS**

Presently before the Court is the report issued on January 10, 2022 by Magistrate Judge Curtis Ivy, Jr. pursuant to 28 U.S.C. § 636(b), recommending that the Court grant in part and deny in part the defendants' motion for judgment on the pleadings, and grant the defendants' motion for summary judgment with respect to the remaining claims. The deadline for filing objections to the report has passed, and no objections have been filed. The plaintiff's failure to file objections to the report and recommendation waives any further right to appeal. *Smith v. Detroit Fed'n of Teachers Local 231*, 829 F.2d 1370, 1373 (6th Cir. 1987). Likewise, the failure to object to the magistrate judge's report releases the Court from its duty to independently review the matter. *Thomas v. Arn*, 474 U.S. 140, 149 (1985). However, the Court agrees with the findings and conclusions of the magistrate judge.

Accordingly, it is **ORDERED** that the report and recommendation (ECF No. 70) is **ADOPTED**.

It is further **ORDERED** that the defendants' motion for judgment on the pleadings (ECF No. 57) is **GRANTED IN PART**. The plaintiff's Eighth Amendment claim and his claims against Genesee County, Robert Pickell, Christopher Swanson, and Brian Ross are **DISMISSED WITH PREJUDICE**.

It is further **ORDERED** that the defendants' motion for summary judgment (ECF No. 59) is **GRANTED** with respect to the plaintiff's remaining claims.

It is further **ORDERED** that the complaint (ECF No. 1) is **DISMISSED WITH PREJUDICE**.

s/David M. Lawson
DAVID M. LAWSON
United States District Judge

Dated: February 7, 2022